



1 BOARDS AND COMMISSIONS

2 KENTUCKY BOARD OF EXAMINERS OF PSYCHOLOGY

3 (Amendment)

4 201 KAR 26:155. Licensed psychologist: application procedures and temporary license.

5 RELATES TO: KRS 319.050

6 STATUTORY AUTHORITY: 319.032(1) (a), (c)

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 319.032(1) (a) and (c) require the
8 board to promulgate administrative regulations establishing the requirements for an applicant for
9 licensure as a psychologist. This administrative regulation establishes the requirements for
10 applicants for licensure, and the conditions for a temporary license.

11 Section 1. Application. (1) An application for a credential as a licensed psychologist [~~and for~~
12 ~~temporary licensure~~] and as a temporarily licensed psychologist may be submitted after the
13 requirements established in KRS 319.050(2) are met to the Board or to an online application
14 management system contracted by the Board for the purposes of application screening, as the
15 Board directs.

16 (2) The application made to the Board or to the online application management system [~~shall be~~
17 ~~made by submitting a completed Application for Licensure as a Psychologist to the board. The~~
18 ~~application shall:] shall include~~

(a) a certification by the applicant that the:

1. Information in the application is true, correct, and complete to the best of ~~[his or her]~~ their knowledge and belief; and

2. Applicant is aware that the board may take disciplinary action if the application contains a misrepresentation or falsification;

(b) ~~[Be accompanied by:]~~ Payment of the application fee made payable to the Kentucky State Treasurer if the application is processed through the Board, or payment shall be made to the online application management system as directed by the Board.

~~[1. A check or money order payable to the Kentucky State Treasurer for the application fee as required by 201 KAR 26:160;]~~

2. Three (3) recommendations from persons qualified to evaluate the applicant's professional ability within five (5) years from the date of application, including two (2) persons who have received a doctorate in psychology (Ph.D., PsyD., Ed.D.). The recommendations shall be submitted on the Recommendation Form for Licensure as a Psychologist; and

3. An official transcript for all levels of education required for licensure. Transcripts must be received in sealed envelopes or electronically directly from the school or a third-party clearinghouse.

Section 2. Temporary Licensure. (1) Pending successful completion of required examinations, an applicant may request permission to practice psychology at the doctoral level on a temporary

basis pursuant to KRS 319.050(3). The request for a temporary credential shall be cosigned by the candidate and the proposed supervisor, who shall be a licensed psychologist with health service provider certification approved by the board.

(2) Supervision during the period of temporary licensure shall be a minimum of one (1) hour of individual, face-to-face supervision on a weekly basis.

(3) A report of supervision shall be submitted on a regular basis as required by 201 KAR 26:171, Section 6.

(4) The candidate shall take the national EPPP within one (1) year of the board's written approval of temporary licensure.

(5)(a) A temporary license shall be valid for one (1) year from the date of the notice of approval by the board.

(b) During the period of temporary licensure, a candidate shall:

1. Successfully complete all credentials and examination procedures;

2. Pass the EPPP; and

3. Pass the examinations on psychological practice, ethical principles, and ~~the~~ Kentucky law within one (1) year of the date of the notice of approval by the board for a temporary license.

(c)1. A candidate shall score at least an eighty (80) percent to pass the ~~structured~~ jurisprudence examination of Kentucky mental health law.

2. A candidate shall score a 100 percent to pass the oral examination on ethical principles and professional practice.

(6)(a) Under exceptional circumstances and upon written request cosigned by the board approved supervisor, the board may approve an extension of the period of temporary licensure.

(b) If a temporary licensee requires an extension after one year, the licensee may request a six month extension.

(c) After the six months, a second extension may be requested for an additional six months.

(d) After a total of two years for temporary licensure, the licensee may request a second temporary license following the aforementioned steps.

(e) If after two years on the second temporary license another extension is requested, the licensee may request a third temporary license following the aforementioned steps.

(f) Licensees shall not exceed a total of six years of extensions for all temporary licenses nor hold a temporary license for longer than six years.

(g) All extensions are provided by the board at the board's discretion.

(b) A licensee shall submit a completed Request for Extension of Temporary Licensure as a Psychologist to request an extension.

Section 3. (1) An individual who submits an Application for Licensure as a Psychologist and has been approved by another state to take the EPPP shall submit:

1 (a) The official notice of the results of the EPPP from the state psychology regulatory board that
2 approved the (a) The official notice of the results of the EPPP from the state board that approved
3 the applicant to take the EPPP; or

4 (b) A request to ASPPB to release the results of the EPPP to the board and notify the board of the
5 submission of the request.

6 (2) The applicant shall submit the official notice or notification of the request to ASPPB to the
7 board within thirty (30) days of taking the examination.

8 Section 4. Grace Period for Submission of Credentials. In order to allow for processing of the
9 candidate's materials by the board, there shall be a grace period not to exceed sixty (60) days
10 within which candidates who have completed their degree requirements may begin to practice
11 psychology under supervision of a board-approved supervisor, as established in 201 KAR
12 26:190.

13 (1) Upon acceptance of employment or the beginning of the required period of supervision, the
14 candidate and the licensed psychologist who shall serve as his or her supervisor shall
15 immediately submit a letter of notice to the board indicating that he or she has begun to practice
16 in Kentucky and that application materials are forthcoming. Failure to submit this notice shall be
17 deemed as grounds for disciplinary action against the candidate and the supervisor.

18 (2) The candidate shall ensure that all materials are forwarded to the board within thirty (30)
19 days from the date of employment or supervision. Once the application is complete, the board

1 shall review the material at its next scheduled meeting and, if appropriate, issue either a
2 temporary or permanent credential. If the candidate does not meet the requirements for the
3 credential, or if the application material is insufficient to take any action, he or she shall be
4 notified by the board and directed to cease practice until the requirements are met or the
5 necessary documentation has been submitted.

6 (3) Under no circumstances shall the grace period be extended beyond sixty (60) days.
7 Candidates who fail to achieve approval within this timeframe shall not practice psychology un-
8 til credentialed by the board.

9 (4) Upon filing the notice set forth in Section 3(1) of this administrative regulation, the candidate
10 is deemed to be practicing psychology under the jurisdiction of the board, and shall com-ply with
11 KRS Chapter 319 and 201 KAR Chapter 26.

12 Section 5. Incomplete Application. An incomplete application shall ~~[be denied]~~ be determined to
13 be expired one (1) year from the date of filing, and may be destroyed

14 Section 6. Incorporation by Reference. (1) The following material is incorporated by reference:

15 (a) "Application for Licensure as a Psychologist", ~~[February 2017]~~ March 2021;

16 (b) "Recommendation Form for Licensure as a Psychologist", ~~[February 2017]~~ March 2021; and

17 (c) "Request for Extension of Temporary Licensure as a Psychologist", ~~[February 2017]~~ March
18 2021

1 (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at
2 the Board of Examiners of Psychology, 500 Mero Street [~~911 Leawood Drive~~], Frankfort,
3 Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. The material is also available on
4 the Board's website.

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Jean A. Deters, Psy.D.

3 Jean A. Deters, Psy.D.

4 BOARD CHAIR

5 APPROVED BY AGENCY: March 1 2021

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PUBLIC HEARING AND PUBLIC COMMENT PERIOD:

A public hearing on this administrative regulation shall, if requested, be held on May 28, 2021, at 10:00 a.m. in Room 127, The Mayo-Underwood Building, 500 Mero Street, Frankfort, Kentucky 40601. In the event the building is not open to the public on May 28, 2021, including if the declared State of Emergency in Executive Order 2020-215 and the State of Emergency Relating to Social Distancing in Executive Order 2020-243 are not rescinded by May 28, 2021, this hearing will be done by video teleconference. A link to the teleconference will be posted on the Board's website. Individuals interested in attending this hearing shall notify this agency in writing by May 21, 2021, five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on this proposed administrative regulation until May 31, 2021. Send written notification of intent to attend the public hearing or written comments on the proposed administrative regulation to the contact person. Pursuant to KRS 13A.280(8), copies of the statement of consideration and, if applicable, the amended after comments version of the administrative regulation shall be made available upon request.

CONTACT PERSON: David C. Trimble, Board Attorney, 500 Mero Street, Frankfort, KY 40601, phone +1 (502) 782-8823, fax +1 (502) 564-3969, email DavidC.Trimble@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: David C. Trimble

(1) Provide a brief summary of:

(a) What this administrative regulation does: . KRS 319.032 authorizes the Kentucky Board of Examiners of Psychology to promulgate administrative regulations consistent with KRS Chapter 319, regulating the practice of psychology. This administrative regulation establishes the procedures for applications for licensure and temporary licensure.

(b) The necessity of this administrative regulation: This administrative regulation is required by KRS 319.032.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 319.032 authorizes the Kentucky Board of Examiners of Psychology to promulgate administrative regulations consistent with KRS Chapter 319, regulating the practice of psychology. This administrative regulation establishes procedures for applications for licensure and temporary licensure.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation assists in the effective administration of KRS Chapter 319 by carrying out the legislative mandate for the board to establish regulations for the practice of psychology.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: The Amendment clarifies the procedures for applications for licensure and temporary licensure.

(b) The necessity of the amendment to this administrative regulation: The amendment is necessary to clarify procedures for applications for licensure and temporary licensure.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 319.032 authorizes the Kentucky Board of Examiners of Psychology to promulgate administrative regulations consistent with KRS Chapter 319, regulating the practice of psychology. This administrative regulation establishes procedures for applications for licensure and temporary licensure.

(d) How the amendment will assist in the effective administration of the statutes: This regulation assists in the effective administration of KRS Chapter 319 by carrying out the legislative mandate for the board to establish the procedures for applications for licensure and temporary licensure.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This regulation will affect 1,772 licensed psychologists practicing in the Commonwealth of Kentucky, as well as an unknown number of their patients who depend on their psychologist remaining current with their training.

(4) Provide an analysis of how the entities identified in the previous question will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions each of the regulated entities have to take to comply with this regulation or amendment: This regulation will provide updated procedures for applications for licensure and temporary licensure.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities: This regulation should add no additional cost to the licensed psychologist.

(c) As a result of compliance, what benefits will accrue to the entities: This regulation will allow psychologists to have an updated understanding of the procedures for applications for licensure and temporary licensure.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: This administrative regulation does not create a cost for the administrative body.

(b) On a continuing basis: This administrative regulation does not create a cost for the administrative body

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The Kentucky Board of Examiners of Psychology is self-funded

through the fees paid by licensees. No additional funding is necessary for the implementation and enforcement of this administrative regulation.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increases in fees or funding is necessary to implement the amendment to this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: No increases in fees or funding is necessary to implement this administrative regulation.

(9) TIERING: Is tiering applied? Tiering is not applied because similarly situated licensees are treated similarly under this administrative regulation.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation: 201 KAR 26:155

Contact Person: David C. Trimble, phone +1 (502) 782-8823, email DavidC.Trimble@ky.gov

(1) What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? This administrative regulation impacts the Kentucky Board of Examiners of Psychology.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 319.032(1).

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?

This administrative regulation does not generate revenue for the Board.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This administrative regulation does not generate revenue for the Board.

c) How much will it cost to administer this program for the first year? This administrative regulation does not create a cost for the Board.

(d) How much will it cost to administer this program for subsequent years? This administrative regulation does not create a cost for the Board.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation:

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

The following material is incorporated by reference into this regulation:

- (a) "Application for Licensure as a Psychologist", March 2021 version, updated to be consistent with regulation amendments and to clarify for usage;
- (b) "Recommendation Form for Licensure as a Psychologist", March 2021 version updated to be consistent with regulation changes and to clarify for usage; and
- (c) "Request for Extension of Temporary Licensure as a Psychologist", March 2021 version updated to be consistent with regulation changes and to clarify for usage.